REMARKS

The present application was filed on October 31, 2003 with claims 1-20.

In the outstanding Office Action dated January 8, 2007, the Examiner: (i) objected to the specification because of informalities; (ii) objected to the drawings for failing to comply with 37 CFR 1.84(p)(5); (iii) rejected claims 1, 2, 4-8, 17 and 19 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Publication No. 2002/0152110 to Stewart et al. (hereinafter "Stewart"); (iv) rejected claim 3 under 35 U.S.C. §103(a) as being unpatentable over Stewart; and (v) rejected claims 9-16, 18 and 20 under 35 U.S.C. §103(a) as being unpatentable over Stewart in view of U.S. Patent Publication No. 2003/0018714 to Mikhailov et al. (hereinafter "Mikhailov").

In this response, Applicants amend independent claims 1, 17 and 19, and amend independent claims 9, 18 and 20. Claims 2, 12 and 13 have been canceled. Dependent claim 4 has been rewritten in independent form by including the limitations of independent claim 1. Applicants respectfully request reconsideration of the application in view of the amendments above and the remarks below.

With regard to the objection to the disclosure, Applicants respectfully submit that ROM and RAM are acronyms common to any person skilled in the art to which the invention pertains, or with which it is most nearly connected. Notwithstanding the traversal, Applicants have amended the specification without prejudice, solely in order to expedite prosecution of the application. Accordingly, Applicants respectfully request the objection to the disclosure be withdrawn.

Regarding the objection to the drawings, Applicants have amended the specification to include reference character "203," which should overcome the objection. Accordingly, Applicants respectfully request the objection to the drawings be withdrawn.

With regard to the §102(b) rejection, Applicants initially note that MPEP §2131 specifies that a given claim is anticipated "only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," citing Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, MPEP §2131 indicates that the cited reference must show the "identical invention . . . in as complete detail as is contained in the . . . claim," citing Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicants respectfully traverse the §102(b)

rejection on the ground that the Stewart reference fails to teach or suggest each and every limitation of claims 1, 2, 4-8, 17 and 19 as alleged.

Amended claim 1 is directed to a method of processing information, associated with an information source, in accordance with a browser, the method comprising the steps of: obtaining information from the information source; and preventing a user from interacting with a displayed first portion of the received information until after a second portion of the received information is sufficiently loaded, said prevention occurring after a determination is made that the second portion depends on the first portion, otherwise, permitting the user to interact with the displayed first portion regardless of whether the second portion is sufficiently loaded.

In an illustrative embodiment of the present invention, FIG. 2, a flow diagram illustrates a client-based methodology 200 for avoiding errors when interacting with partially loaded pages, according to a first embodiment of the present invention. When the user sends a request (step 201) to the server 104 to access a web page, the page begins loading (step 202). In some special case, Frame #1 depends on Frame #2's information to continue (step 207). It is very common that Frame #1 is already activated, and Frame #2 is still in the process of loading (step 208). To determine if the user can continue working on Frame #1, the methodology checks if Frame #1 depends on Frame #2 (step 207). If no dependency is found, the user can be allowed to interact with Frame #1 (step 211). If a dependency exists between Frame #1 and Frame #2, a check is made to determine whether Frame #2 is fully loaded (step 208). If loaded, the user is allowed to work with Frame #1 (step 211) and so on. If not loaded, the user is instructed via an alert message to wait (step 209), while Frame #2 continues loading (step 210). The browser 103 continues to load more data from Frame #2. If the user tries to interact with Frame #1 (step 204) during this process, e.g., a subapplication is requested (step 205), an alert message pops up to tell the user to wait until the page is fully loaded (step 206). Once the user has addressed the alert message, Frame #2 keeps loading (step 203). This process continues until the page has completely loaded (end block 212). Thus, advantageously, if Frame #1 and Frame #2 are fully loaded or if Frame #1 does not depend on Frame #2, then the user is allowed to interact with Frame #1. However, if Frame #2 depends on Frame #1 and Frame #2 is

not fully loaded, or if the user requests a subapplication (e.g., associated with Frame #2), then the user is instructed to wait until Frame #2 fully loads.

The Examiner in formulating the §102(b) rejection of claim 1 argues that each and every one of the above-noted limitations of claim 1 is anticipated by the teachings of Stewart. Applicants respectfully disagree.

In characterizing the Stewart reference as disclosing certain limitations of claim 1, the Examiner relies primarily on paragraphs [0040] and [0051] of Stewart. However, the relied-upon portions of Stewart fail to anticipate the limitations as alleged.

Although Stewart discloses of preventing a participant from responding too soon to any one module, by having the application overlay a layer over the Web page that is loading the graphic, Stewart does not perform such prevention in a manner where the prevention occurs after a determination is made that the second portion depends on the first portion, otherwise, permitting the user to interact with the displayed first portion regardless of whether the second portion is sufficiently loaded, as in the claimed invention. In Stewart, no such dependency determination is made and thus the application in Stewart only removes the layer after the graphics on the underlying page have finished loading.

Accordingly, it is believed that the teachings of Stewart fail to meet the limitations of amended claim 1. Independent claims 17 and 19 include limitations similar to those of claim 1, and are therefore believed allowable for reasons similar to those described above with reference to claim 1.

Claim 4, now independent, recites that the preventing step further comprises rendering the displayed first portion inactive until after the second portion is sufficiently loaded. In contrast, the application in Stewart overlays a layer over the Web page that is loading the graphic. That is, Stewart effectively inactivates the loading portion (second portion) not the already displayed portion (first portion).

Dependent claims 5-8 are allowable for at least the reasons identified above with regard to the above independent claims. One or more of these claims are also believed to define separately-

patentable subject matter over the cited art. Accordingly, withdrawal of the §102(e) rejection of claims 1, 4-8, 17 and 19 is respectfully requested.

With regard to the §103(a) rejection of claim 3 as being unpatentable over Stewart, Applicants assert that claim 3 is patentable at least by virtue of its dependency from claim 1. The patentability of claim 1 is described above. Accordingly, withdrawal of the §103(a) rejection of claim 3 is respectfully requested.

With regard to the §103(a) rejections, Applicants initially note that a proper case of obviousness requires that the cited references when combined must "teach or suggest all the claim limitations," and that there be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references or to modify the reference teachings. See Manual of Patent Examining Procedure (MPEP), Eighth Edition, August 2001, §706.02(j).

Applicants submit that the Examiner has failed to establish a proper case of obviousness in the §103(a) rejection of claims 9-16, 18 and 20 over Stewart and Mikhailov, in that the Stewart and Mikhailov references, even if assumed to be combinable, fail to teach or suggest all the claim limitations, and in that no cogent motivation has been identified for combining the references or modifying the reference teachings to reach the claimed invention.

Amended claim 9 is directed to a method of processing information, associated with an information source, in accordance with a browser, the method comprising the steps of: obtaining information from the information source in accordance with an application, wherein the application comprises at least one subapplication; upon a request made to the subapplication, determining whether a current page of the application is loaded; when the current page is fully loaded, preserving data associated with the current page before loading the subapplication; and when the current page is not fully loaded, loading the subapplication without preserving data associated with the current page.

In an illustrative embodiment of the present invention, FIG. 4, a flow diagram illustrates a client-based methodology 400 for preserving state. Suppose a very complicated web application has several subapplications. The user can jump back and forth among these subapplications. In one of these subapplications, assume that there is a page that has a large amount of data entered by the user.

The present invention is used to save the data in the page before jumping to other subapplications. Later, when the user returns, the entire data the user typed in can be recovered.

As shown in FIG. 4, a user interacts (e.g., accesses different page/subapplication) with a page containing a large amount of data which needs to be preserved (step 401). The page starts to load (step 402). At the point of user interaction (e.g., subapplication request in step 403), the methodology checks whether the page has been fully loaded (step 404). If the page is fully loaded, the data is saved before loading the subapplication, and the requested subapplication is loaded (step 407). When the user comes back from a subapplication, all of the data that was saved is recovered (step 408). Going back to step 404, if the page is not fully loaded, the requested subapplication is loaded directly without saving data, since the user has not entered any data (step 405). Thus, the subapplication is loaded regardless of whether the user entered data. If the data was not saved before the subapplication was loaded, the page is displayed directly (step 406). The methodology ends at end block 409.

Stewart and Mikhailov fail to teach or suggest the limitations of claim 9.

Although Mikhailov, in paragraph [0018] teaches of preserving the altered state of a first frame in the background while a second frame is active, Mikhailov does not determine whether a current page of an application is loaded, and when the current page is fully loaded, preserve data associated with the current page before loading a subapplication, and when the current page is not fully loaded, load the subapplication without preserving data associated with the current page, as recited in claim 9.

Stewart fails to remedy the deficiencies described above with regard to Mikhailov. Accordingly, it is believed that the combined teachings of Stewart and Mikhailov fail to meet the limitations of claim 9.

Also, the Examiner has failed to identify a cogent motivation for combining Stewart and Mikhailov in the manner proposed. The Examiner provides the following statement of motivation beginning at page 6, last paragraph of the Office Action:

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to preserve data entered into a first frame in Stewart before loading a second frame. One would have been motivated to preserve the modifications of a frame in order to continue working from their last saved point.

The Federal Circuit has stated that when patentability turns on the question of obviousness, the obviousness determination "must be based on objective evidence of record" and that "this precedent has been reinforced in myriad decisions, and cannot be dispensed with." In re Sang-Su Lee, 277 F.3d 1338, 1343 (Fed. Cir. 2002). Moreover, the Federal Circuit has stated that "conclusory statements" by an examiner fail to adequately address the factual question of motivation, which is material to patentability and cannot be resolved "on subjective belief and unknown authority." Id. at 1343-1344. There has been no showing in the present §103(a) rejection of claim 9 of objective evidence of record that would motivate one skilled in the art to combine Stewart and Mikhailov to produce the particular limitations in question. The above-quoted statement of motivation provided by the Examiner appears to be a conclusory statement of the type ruled insufficient in the In re Sang-Su Lee case.
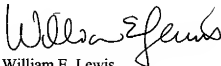
For at least these reasons, Applicants assert that claim 9 is patentable over Stewart and Mikhailov.

Independent claims 18 and 20 include limitations similar to those of claim 9, and are therefore believed allowable for reasons similar to those described above with reference to claim 9.

Dependent claims 10, 11 and 14-16 are allowable for at least the reasons identified above with regard to claim 9. One or more of these claims are also believed to define separately-patentable subject matter over the cited art. Accordingly, withdrawal of the §103(a) rejection of claims 9-11, 14-16, 18 and 20 is respectfully requested.

In view of the above, Applicants believe that claims 1-20 are in condition for allowance, and respectfully request withdrawal of the §102(b) and §103(a) rejections.

Respectfully submitted,

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